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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,673	01/08/2002	Xiaozhong Dang	RR-1765	6144
24501	7590	11/14/2003	EXAMINER NGUYEN, KHIEM D	
MARK A LAUER 6601 KOLL CENTER PARKWAY SUITE 245 PLEASANTON, CA 94566			ART UNIT 2823	

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/042,673

Applicant(s)

DANG ET AL.

Examiner

Khiem D Nguyen

Art Unit

2823

--Th MAILING DATE of this communication appears on the cover sheet with the corresponding address--

THE REPLY FILED 14 October 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 1-20

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 103103.
10. ☐ Other: _____

W. DAVID COLEMAN
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: In response to applicant's argument that Hsu does not teach or suggest "forming a second soft magnetic pole layer over said inorganic nonferromagnetic apex region, such said second pole layer has an interface that is substantially equidistant from said second side", examiner respectfully disagree, in the Office Action mailed July 1st, 2003, pages 2-3, examiner stated that Hsu discloses forming a second soft magnetic pole layer (FIG. 10A, 232) over the inorganic nonferromagnetic apex region (FIG. 10A), such that the second pole layer has an interface that is "substantially" equidistant from the second side (pages 4-5, paragraphs [0057]-[0065]) and FIG. 10A)

In response to applicant's argument that Hsu do not teach the limitation of "etching the hardbaked photoresist mask and said inorganic nonferromagnetic layer", examiner respectfully disagree, in the Office Action mailed July 1st, 2003, pages 3-4 examiner stated that Hsu discloses etching the hardbaked photoresist mask (FIG. 10A, 208) and the inorganic nonferromagnetic layer (FIG. 10A, 210) (alumina Al₂O₃), as shown in FIG. 10, the hardbaked photoresist mask and the inorganic nonferromagnetic layer are being etched to form a region of inorganic nonferromagnetic material over the first soft magnetic layer (FIG. 10A, 92) (pages 6-7, paragraph [0071]). Additionally, both the used of hardbaked photoresist mask and alumina as an inorganic nonferromagnetic layer are well-known to to one of ordinary skill in the art of making semiconductor devices.

In response to applicant's argument that Hsu does not teach the limitation of "forming a second soft magnetic pole layer over said inorganic nonferromagnetic apex region, such that said second pole layer has a region that is substantially parallel to said sloping surface and disposed within one micron of said sloping surface", examiner respectfully disagree, in the Office Action mailed July 1st, 2003, page 6, examiner stated that Hsu discloses forming a second soft magnetic pole layer (FIG. 10A, 232) over the inorganic nonferromagnetic apex region (FIG. 10A), such that the second pole layer has a region that is substantially parallel to said sloping surface and disposed within one micron of said sloping surface (pages 4-5, paragraphs [0057]-[0065]) and FIG. 10A). For these reasons the final rejection is considered proper.